

July 15, 2014

Re: Support of Title I Regulation of Broadband Providers

To whom it may concern:

The Federal Communications Commission (FCC) should continue to classify broadband as a Title I service to allow and promote the growth of small business on Chicago's south side.

As a board member of the Chatham Business Association (CBA) I have firsthand knowledge of the technical resources that small minority and women-owned business require to maintain their viability in a very competitive marketplace. The CBA is a small business resource center that offers an array of customized services and programs designed to assist such businesses. The CBA is located on the south side of Chicago in a community known as Chatham. More than 31,000 people live within three square miles of the CBA's headquarters.

The CBA assistance to small businesses to expand and grow through the programs it offers its members. These programs focus on economic development, strategic planning, technical training, business trend workshops, accessing capital, providing effective collaborative marketing programs and helping businesses to obtain government certification status.

Melinda Kelly, the Executive Director of the CBA described last fall what she observes on a daily basis in her attempt to aid the businesses in the CBA's service area, "At the Chatham Business Association, I have had the privilege of engaging with high-achieving, innovative entrepreneurs every day who live, just as their predecessors did, according to Malcolm X's creed: "Daring to reach, to climb, to crawl, to scratch, to get back up when you've been knocked down, to push forward — ever forward — to forgive. It means sacrificing everything if necessary, to carve out a place for your own existence. It means living."

Ms. Kelly went on to say that "transformation calls for corporations, governments and industrious organizations like the CBA to ensure that black businesses have access to mainstream opportunities so that they can fully contribute to the U.S. economy. The CBA ensures businesses have access to high-speed Internet and affordable, ongoing technical support."

As a CBA board member, I recognize that broadband Internet access touches each of our areas of support for small businesses. It is no secret businesses reach new customers through online marketplaces. Many of these businesses train their employees through online courses and businesses come together as never before through Internet partnerships. Social media is a key component to business growth and visibility and many small businesses depend on high-speed broadband service as a central means to connect to their customers.

For this reason, I am concerned with attempts by some at the FCC Commission to make the information services of broadband providers subject to regulatory constraints designed for voice communications under Title II. I believe that subjecting broadband providers to such regulation would constrain and hamper the ability of small businesses to participate in this emerging technology.

I am fearful that the regulating broadband providers under Title II will hamper small business growth and stifle their innovation and creativity. I celebrate the efforts in Chicago by City of Chicago's Department of Business Affairs & Consumer Protection that are working to reform and streamline business applications.

An example of such reform offer by the City of Chicago that is working to streamline processes for small businesses throughout the city was provide earlier this year when Mayor Rahm Emanuel announced the launch of an online permit and license portal for all businesses. Businesses in the Chatham community require access to broadband services that are free of overreaching regulations to gain fast and immediate access to the city's online resources and programs that are free from heavy regulation and red tape.

Applying Title II regulations to broadband providers may not directly impact the businesses that the CBA serves. However, it would ultimately hurt these businesses and their profitability by slowing the pace of innovation in broadband services that they receive. If broadband suppliers are subject to regulations designed for a public utility companies, they would be incredibly hampered in their effort to improve services and keep pace with changes in technology and customer demands. Moreover, if Title II regulations are applied to this area by the FCC what is now a competitive broadband marketplace could be replaced by an industry dominated by one or two large firms.

Picture the hundreds of thousands of apps that run over broadband networks. They seemingly appear overnight as entrepreneurs identify customer needs and rush to fill them. These developers depend on the adaptability of broadband providers. They also provide an estimated 750,000 jobs throughout the country which is less than one percent of the estimated 11 million jobs that make up the Internet industry.

The FCC may be putting these jobs and the economy they support at risk by regulating broadband providers under Title II which is an antiquated regulation that was not designed for the fast-moving, information-driven economy that we find ourselves operating in today. The FCC would be wise to maintain the Title I designation for its regulation of information service providers.

Under Title I enforcement Internet speeds increased 25 percent between late 2012 and late 2013. I argue that the system is working and that it will only improve over time if broadband service providers continue to be regulated under Title I. I urge the FCC to continue on its current path of classifying broadband as a Title I service. Small businesses throughout the Chicago community as well as other businesses across the country will have access to better broadband innovation and technologies if broadband providers are regulated under Title I.

Sincerely,



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Attorney  
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